IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

TUESDAY, THE 19TH DECEMBER 2006 / 28TH AGRAHAYANA 1928

WP(C).No. 33789 of 2006(V)

OA.1156/1999 of DEBT RECOVERY TRIBUNAL, ERNAKULAM
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PETITIONER:

SUNNY JOHN, RESIDING AT MALIYEKKAL HOUSE RESHMA GARDENS, ADAMPALLY ROAD, VENNALA, ERNAKULAM.

BY ADV. SRI.G.SHRIKUMAR
SRI.SREEJITH S.NAIR

RESPONDENTS:
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1. DEBTS RECOVERY OFFICER, DEBTS RECOVERY TRIBUNAL (KERALA & LAKSHADWEEP) AT ERNAKULAM.

2. M/S.LORD KRISHNA BANK LTD., M.G.ROAD, ERNAKULAM.

3. ST.MARY'S PROPERTIES, ST.MARY'S CASTLE, MULLASSERY CANAL ROAD, COCHIN-11.

4. JOHN VILANGADAN, 34/2488, BTS ROAD, EDAPPALLY, COCHIN.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN, J.

W.P.(C) NO.33789 OF 2006

Dated this the 19th day of December, 2006

J U D G M E N T

Petitioner is an auction purchaser, who pursuant to the bid has deposited the bid amount. Exhibit P2 is an application filed by the third party seeking to set aside the same. Petitioner has raised various contentions including the non maintainability of Exhibit P2. But, in the view I am taking, it is not necessary for this court to entertain the contentions on the merit at this stage. Equally in the view I am taking, it is not necessary to issue notice to the other side. Since Exhibit P2 is an application preferred by the third party and is pending consideration before the Debts Recovery Officer, necessarily the same had to be disposed of expeditiously as the same has been filed as early as on 14th February 2006.

2. In the above circumstances, there will be a direction to the Debts Recovery Officer, the first respondent herein to consider and dispose of Exhibit P2 in accordance with law after hearing the petitioner as well as other interested parties, as expeditiously as possible, at any rate within a period of one month from the date of the petitioner producing a copy of this judgment.

Writ petition is disposed of as above.

P.R.RAMAN, JUDGE

Rp